

The Odisha Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No.721, CUTTACK, TUESDAY, MARCH 25, 2025/ CHAITRA 4, 1947

HOUSING & URBAN DEVELOPMENT DEPARTMENT

NOTIFICATION

The 25th March, 2025

No.6899—HUD-TP-POLICY-0003/2020/HUD.— The following draft of certain rules further to amend the Odisha Development Authorities (Planning and Building Standards) Rules, 2020, which the State Government proposes to make in exercise of powers conferred by Section 123 of the Odisha Development Authority Act, 1982 (Odisha Act 14 of 1982) is hereby published as required by Section 125 of the said Act for information of all persons, likely to be affected thereby and notice is hereby given that the said draft rules will be taken into consideration on or after expiry of a period of 15 days from the date of their publication in the *Odisha Gazette*.

Any objection or suggestion which may be received from any person with respect to the said draft before expiry of the period specified above will be considered by the State Government.

DRAFT RULES

1. Short title, extent and commencement.— (1) These rules may be called the Odisha Development Authorities (Planning and Building Standards) Second Amendment Rules, 2025.

(2) They shall extend to all the “development areas” which are so declared under sub-section (1) of Section 3 of the Odisha Development Authorities Act, 1982.

(3) They shall come into force on the date of their publication in the *Odisha Gazette*.

2. In the Odisha Development Authorities (Planning and Building Standards) Rules, 2020 (hereinafter referred to as the said Rules), in rule 9, sub-rule (2) and (5) shall be deleted.

3. In the said rules, in rule 31,

(a) after sub-rule (3), the following sub-rule shall be inserted, namely.—

“(3A). In the case of industrial buildings located outside of Urban Local Body areas, the minimum road width shall be 6 meters.”

(b) after sub-rule (4), the following sub-rule shall be inserted, namely.—

“(5) IDCO shall be competent, in respect of such Special Planning Areas for which IDCO has been declared as the Special Planning Authority, to exempt industrial buildings within the said Special Planning Area from the minimum road width requirement, provided such buildings were constructed before the commencement of the Odisha Development Authorities (Planning and Building Standards) Rules, 2020.”

4. In the said rules, in rule 33,

(a) for clause (i) of sub-rule (5), the following clause shall be substituted, namely.—

“(5) (i) For industrial buildings, flatted factories, IT- ITES buildings and commercial buildings, there shall be no limit on ground coverage:

Provided that such buildings shall continue to comply with other requirements set in these rules.”

(b) after clause (vi) of sub-rule (5), the following clause shall be inserted, namely.—

“(vii) For commercial buildings on plot size upto 4000 Sq.m, setback on one side which abuts the road shall be exempted except on the front side :

Provided that, only one setback shall be exempted even if multiple sides have abutting roads :

Provided further that, no entry or exit, except emergency exit shall be provided on the side of the buildings to which the setback has been exempted.”

5. In the said rules, in rule 35,

(a) for sub-rule (1), following sub-rule shall be substituted, namely.-

“(1) The Floor Area Ratio (F.A.R) for other than low risk buildings shall be

decided on the basis of the road width on which the plot and site abuts as specified in Table No.7 below:”

(b) for sub-rule (2), following sub-rule shall be substituted, namely.-

“(2) All low risk buildings shall be permitted without any FAR limitation.”

(c) after sub-rule (2), following sub-rule shall be inserted, namely.-

“(2A) In an approved layout, for other than low risk buildings, where maximum permissible FAR prescribed is 3.00 or above, FAR of 1.00 over and above the base FAR shall be available without the requirement of purchasable FAR or TDR :

Provided that, this incentive shall not be available for regularised plots or plots sub-divided as per the provisions of Rule 87.”

6. In the said Rules, in Rule 37, in sub-rule (1), for the Table No. 9, the following table shall be substituted, namely.—

Table No. 9: Off Street Parking Space for Different Category of Occupancies		
Sl. No.	Category of building/ activity	Parking area to be provided as percentage of total built-up area towards FAR
(a)	(b)	(c)
1	Multiplexes, Shopping Malls, Cinema Halls, Kalyan Mandaps, Banquet Halls, Auditorium, Stadium, Sports Complex, Convention Halls and clubs	50
2	Community Centres	40
3	Residential Apartment buildings, Housing Project, Guest Houses, Dharmasalas, Hostels, Work-cum-Residence, Lodging, Boarding, Hotels, Restaurants, Local Retail Shopping, Convenience Shopping, Banks, Commercial and Corporate Office, Mercantile Buildings like shops/stores/ market display and sale of mercantile either wholesale or retail stores, Gymnasium, Institutional, IT / ITeS buildings	30
4	Storage Godown.	20
5	Industrial Buildings	8

7. In the said rules, in rule 79, the sub-rule (2) shall be deleted.

8. In the said rules, in rule 81, the sub-rule (5) shall be deleted.

9. In the said rules, the rule 83, shall be substituted, namely.—

“83.Planning standards for reservation of land in sub-division layout.—

Reservation of land in the sub-division layout shall be in the following manner, namely:—

(i) For plots having area less than 0.4 hectare,—

- (a) all sub-divided plots shall be accessible by road having minimum width as mentioned in sub-rule (1) of rule 85;
- (b) provision of plantation shall be given at the rate of minimum one tree per every 80 square meters of area covered under road.

(ii) For plots having area from 0.4 hectare to 2 (two) hectare,—

- (a) the minimum reservation of land for open space shall be 10 percent of the total area of the layout :

Provided that the applicant shall have the option not to provide the open space, if the applicant deposits the cost of the BMV of the deficit area of the land. The aforesaid amount shall be deposited in CIDF under the head of “Deficit Open Space Fee” and the same shall be utilized exclusively for the purpose of development of open spaces.

- (b) common plot for the minimum public utilities as required for the project such as space for electric substation, sewerage treatment plant, space for UGR/ESR for water supply, space for solid waste management shall have to be provided in the layout.
- (c) a public thoroughfare shall be provided on one side of the land, as decided by Authority, within the layout to provide access to the adjacent land locked plots, if any, which will not have access otherwise;
- (d) the owner or owners of land has to develop the access road to the site and storm water drain to the site as determined by the Authority:

Provided that the owner of the land will have the option to pay to Authority the cost of development of external access road and drain at the rates determined by the Authority in lieu of developing the same;

- (e) provision of plantation shall be given at the rate of minimum one tree per

every 80 square meters of area covered under road and open space; and such plantation shall be provided within the openspace and roads leaving the carriageway.

(iii) For plots having area above 2 (two) Hectare,—

- (a) the minimum reservation of land for open space shall be 12.5 percent of the total area of the layout.
- (b) common plot for the minimum public utilities required for the project such as space for electric substation, sewerage treatment plant, space for UGR/ESR for water supply, space for solid waste management shall have to be provided in the layout.
- (c) a public thoroughfare shall be provided on at least one side of the land, as decided by Authority, within the lay out to provide access to the adjacent land locked plots, which will not have an access otherwise;
- (d) the owner or owners of land has to develop the access road and storm water drain to the site as determined by the Authority:

Provided that, the owner or owners will have the option to pay to Authority the cost of development of external access road and drain at the rates determined by the Authority in lieu of developing the same;

- (e) provision of plantation shall be given at the rate of minimum one tree per every 80 square meters of area covered under road and open space; and such plantation shall be provided within the openspace and roads leaving the carriageway.”

10. In the said rules, the rule 84, shall be substituted, namely.—

“84.Reservation for Affordable Plots.— (1) Every plot with area 0.4 hectare or more shall have reservation of land for smaller sized plots not less than 30 Sq.m and not more than size of 100 sq.m.

(2) At least 20% (twenty percent) of saleable residential land shall be earmarked for providing smaller sized plots.

(3) It is further provided that plots carved out for affordable plots in an approved layout shall not be amalgamated and/or sub-divided, unless they are proposed to be developed as a housing project consisting of dwelling with a carpet

area of maximum 60 square meters.

(4) For providing access to the affordable plots, road width of 20 ft. shall be allowed subject to condition that, if the length of the road from higher order road (9mtr) exceeds 100 mtr. then the width of the road shall be minimum 9mtr.

(5) In cases, where the land for layouts is less than 2 (two) hectare and where affordable plots are not being provided in such layouts, the applicant shall pay a “shelter fee” equivalent to 25% (twenty-five percent) of the Benchmark Value of land that would have been reserved for such affordable plots.

Explanation: Affordable plots shall mean smaller sized plots with an area of not less than 30 Sq.m and not more than 50 Sq.m intended to make plots available with comparatively affordable price than larger sized plots.

11. In the said rules, rule 86 shall be deleted.

12. In the said rules, in rule 87,

(a) after sub-rule (1) the following sub-rule shall be inserted, namely.—

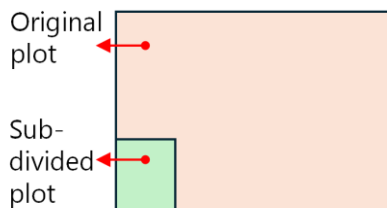
“(1A) Any revenue plot shall be allowed one time exemption from obtaining approval u/s-16 of the ODA Act, 1982, if the size of the sub-divided plot is less than 500 Sq.m.

For further sub-dividing the above mentioned sub-divided plots /original plot, prior approval of the sub-divisional layout plan shall be mandatory.

For the purpose of undertaking development over such subdivided plots, all other provisions related to means of access, zoning regulation, restriction on permission, etc. shall be applicable.

The provision under sub-rule (1A) does not exempt the landowner from complying with any other relevant laws in force.”

Explanation:



(b) after sub-rule (3) the following sub-rule shall be inserted, namely.—

“(4) Reservation of Open space in sub-divisional layout plan shall not be necessary

in cases of further sub-division of Final plot(s) in a Town Planning Scheme prepared by the Authority;”

13. In the said rules, rule 90A, shall be substituted, namely.—

“90A. Regularisation of unauthorised sub-plots.- (1) Where any plot has been sub-divided into sub-plot unauthorisedly shall be considered by way of compounding subject to the following conditions, namely:

(i) The minimum width of the access road to the sub-plot shall be 9 meter:

Provided that, where the width of the access road is less than 9.0 meter, but more than 6.0 meters, the land owner shall provide a strip of land half the width of the shortfall width to make the width of the road at least 9.0 meters, on the side that abuts the street, for maintaining the minimum street width to 9.0 meters and shall free gift the strip of land through a registered deed under the provisions of the Transfer of Property Act, 1882 (4 of 1882), in favour of the Urban Local Body or the Local Authority, as the case may be, prior to regularization of the sub-plot: Provided further that, where the width of the means of access is less than 9.0 meters, the Floor Area Ratio (FAR) of the said sub- plot shall be considered according to the minimum street width existing prior to free-gifting of strip of land for road widening purpose;

(ii) The applicant shall deposit compounding fee equivalent to 15% of the Bench Mark Value of the sub-plot in case the abutting road width is less than 9.0 meters and 10% of the Bench Mark Value of the sub-plot in case the abutting road width is 9.0 meters or above; along with all other applicable fee prescribed for sub-divisional Layout, and

(iii) Application for building plan approval over the regularized sub-plot shall be considered in accordance with the land-use specified in the Development Plan and the Planning and Building Standards rules or regulations, in operation and such other provisions applicable at the time of such application:

(2) Nothing in sub-rule (1) shall affect the Schemes or Instructions which are in force, relating to unauthorized layout and sub-divided plots made prior to issue of notification containing such Schemes or Instructions and such matters shall be considered for regularisation as per the provisions of such Schemes or Instructions.

(3) Cases regularised under Rule 90A, prior to notification of these rules shall not be reopened and there shall not be any refund of compounding fees collected for regularisation of such cases.”

14. In the said rules after rule 90A, the following rule shall be inserted, namely.—

“90B. Exemption from payment of Compounding Fees: IDCO shall be competent, in respect of such Special Planning Areas for which IDCO has been declared as the Special Planning Authority, to exempt industrial buildings from payment of any compounding fees, if the construction is within the limits prescribed under sub-rule (3) of Rule 90.”

By Order of the Governor

USHA PADHEE

Principal Secretary to Government